

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,	)	
	)	CASE NO. CR05-5884RBL
Plaintiff,	)	
	)	ORDER CONTINUING
v.	)	TRIAL DATE
	)	
CHAD FELDMAN,	)	
	)	
Defendants.	)	

THIS MATTER came before the Court upon the motion of Defendant Chad Feldman, through his attorney, Roger Hunko, and stipulated to by the United States of America, by and through John McKay, United States Attorney for the Western District of Washington, and Douglas Whalley and Matthew H. Thomas, Assistant United States Attorneys for said District, requesting a continuance of the trial date. Having considered all the files and records herein,

THIS COURT FINDS, pursuant to Title 18, United States Code, Section 3161(h)(8)(B)(i) that failure to grant such a continuance in the proceeding would be likely to make a continuation of such proceeding impossible, or result in a miscarriage of justice.

THIS COURT FINDS, pursuant to Title 18, United States Code, Section 3161(h)(8)(B)(iv), that failure to grant the continuance in this case, which, taken as a whole, is not so unusual or so complex as to fall within clause (ii), would deny counsel for the defendant the reasonable time necessary for effective preparation, due to counsel's need for more time to

1 review the evidence and consider possible defenses, taking into account the exercise of due  
2 diligence;

3 THIS COURT FINDS, pursuant to Title 18, United States Code, Section 3161(h)(7), that  
4 no previous motion for continuance has been granted, and the defendant has indicated he will file  
5 a waiver of speedy trial in support of this motion.

6 THIS COURT FINDS, therefore, that pursuant to Title 18, United States Code, Section  
7 3161(h)(8)(A), the ends of justice will best be served by a continuance, and that they outweigh the  
8 best interests of the public and the defendant in a speedy trial.

9 THIS COURT FURTHER FINDS that all of the additional time requested between the  
10 original trial date of March 20, 2006, and the new trial date of JUNE 12, 2006 is necessary to  
11 provide counsel for the defendant the reasonable time necessary to prepare for trial.

12 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date will be continued  
13 until JUNE 12, 2006 at 9:30 a.m., with a pretrial conference on JUNE 6, 2006 at 9:00am and  
14 that the date within which the pretrial motions are due is continued to APRIL 24, 2006. The time  
15 between this date and the new trial date is excluded in computing the time within which a trial  
16 must be held pursuant to Title 18, United States Code, Section 3161, et. seq.

17 IT IS SO ORDERED this 9th day of March, 2006.

18   
19 RONALD B. LEIGHTON  
20 UNITED STATES DISTRICT JUDGE

21 Presented by:

22 s/ Matthew H. Thomas  
23 MATTHEW H. THOMAS  
24 Assistant United States Attorney

25 s/ Roger Hunko \*per telephonic approval  
26 ROGER HUNKO  
27 Attorney for Chad Feldman  
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